



**ENVIRONMENTAL ASSESSMENT AND DECISION NOTICE
FOR THE
DEEP CREEK DIVERSION FISH SCREEN PROJECT**

March 26, 2013

Project Proposal and Justification:

Deep Creek is a 16-km-long tributary to the Tobacco River, which flows into Lake Koocanusa, a transboundary (USA-Canada) impoundment on the Kootenai River. The upper portion of Deep Creek, above the proposed project location, is a relatively steep and confined stream channel that flows exclusively through USFS land. The lower portion of Deep Creek is lower gradient and less confined, and flows through farm and saw mill properties. Deep Creek originates in a high elevation basin within the Whitefish Mountain Range, and the flow regime consists of a snowmelt runoff freshet generally in late May/early June, and a high elevation spring flows throughout the rest of the year. Deep Creek maintains a relatively consistent year-round temperature, rarely exceeding 15 C.

Westslope cutthroat trout (*Oncorhynchus clarki lewisi*), bull trout (*Salvelinus confluentus*), brook trout (*Salvelinus fontinalis*), and rainbow trout (*Oncorhynchus mykiss*) all exist in Deep Creek, but bull trout and westslope cutthroat trout are the primary species upstream of the Crystal Lakes diversion. Bull trout are currently listed as a threatened species under the Endangered Species Act. There has not been a confirmed observation of bull trout spawning in Deep Creek; however, anecdotal information suggests that bull trout did spawn in Deep Creek prior to the 1980s.

Several water rights exist on Deep Creek. The largest single water user (Crystal Lakes Fish Hatchery and Golf Course) currently obtains water from Deep Creek from two points of diversion. Montana FWP partnered with the hatchery owner in 2009 to install a fish screen on the uppermost diversion. However, the lower diversion currently represents the largest unscreened diversion on Deep Creek. The proposed project would install an FCA Farmers fish screen to eliminate fish entrainment and decrease screen maintenance on the irrigation system.

Location of Project:

The proposed project will be constructed on Deep Creek, located approximately 3 miles northeast of the city of Fortine, Montana. Specifically, the project is located within Township 35 North, Range 25 West, Section 20, of Lincoln County. The project will occur entirely on United States Forest land.

Environmental and Social Impacts of Project:

There may be short-term increases in turbidity during the project construction phase, but these impacts are expected to be minor and not impact aquatic life in Deep Creek. During project construction, all reasonable and applicable Best Management Practices will be employed to minimize sedimentation to Deep Creek. For example, we will minimize turbidity by 1) scheduling construction to occur during a low flow period, 2) installing the fish screen in the dry to every practicable extent, and 3) filtering water across the vegetated floodplain areas that drain away from the active channel during construction. Riparian vegetation disturbance during project implementation is expected to be minimal to nonexistent and will not impact the overall health of the riparian community. This project is expected to improve the productivity of all resident fish populations within Deep Creek by reducing mortality caused by entrainment into the irrigation system.

Public Involvement:

In compliance with the Montana Environmental Policy Act, Montana FWP prepared and circulated an environmental assessment for public comment from February 11 through March 13, 2013. Notices were placed in two local newspapers, and notification was mailed to local landowners within the vicinity of the project, local conservation groups, local timber companies, selected businesses, and natural resource agencies. Copies of the EA were available at three local libraries, the Montana FWP Region 1 headquarters in Kalispell, and the Montana FWP internet web site. Montana FWP received the following three comments.

Comment:

What is the project cost, and has a cost benefit analysis been prepared, and why, if so, was it not presented; is it assumed that the irrigation ditch offers no fisheries habitat and that fish that enter it only have one-way access? Why is not the land owner that uses the irrigation ditch not covering some of the project cost and what is the annual maintenance requirement for the project including costs?

Response:

The estimated cost of the project is approximately \$40,000. Montana FWP has not prepared a cost benefit analysis for this project. Fish entrained into the irrigation system through the Deep Creek diversion represent a functional loss to the stream since there is no return access. The irrigation diversion ditch has very limited habitat. The landowner is contributing approximately a 25% match to the construction cost of the project by providing for the installation of the fish screen. The landowner is also contributing to the long-term maintenance and operation of the fish screen.

Comment:

The Flathead Valley Chapter of Trout Unlimited would like to share our support for the Deep Creek Fish Screen Project. We support efforts by the Department to prevent the unnecessary loss of our native fish populations. While entrainment of sport fish in the Deep Creek drainage may not be a major source of the loss of native and coldwater fish, when populations have reached very low levels, as they have in many of our tributaries, the loss of even a single fish can have grave effects on a small population. Any effort to improve survival of our native and coldwater fish is greatly appreciated.

We applaud the use of the FCA Fish Screen for this project as a laudable use of new technologies that can significantly improve fish survival, while at the same time decreasing the maintenance burden on managers and landowners. This type of fish screen has proven its usefulness on other Montana streams and can also save time and money in the installation process.

Thanks for the opportunity to comment on this worthwhile project. Again, FVTU fully supports efforts such as this by MFWP to improve habitat for our native and coldwater fish populations, and we look forward to working with and supporting the Department on future fisheries issues in Northwest Montana.

Response:

Montana FWP appreciates the recognition of our efforts on this project, and we agree that the proposed project will improve survival of resident fishes in Deep Creek.

Comment (MT DEQ):


DEQ recognizes that fish screen projects are important to reduce mortality of fish that get entrained in irrigation ditches. Construction of the fish screen inlet structure to the stream and the outlet structure back into the stream would likely require obtaining a DEQ 318 Authorization. The Army Corps permits this type of project under their General Permit (GP) for fish screens. Since DEQ denied 401 Certification for this GP, we review proposed projects that qualify for the GP.

Response:

MFWP understands the permit requirements for this project and will comply.

Decision Notice:

Based on the comments we received during the public comment period for the draft environmental assessment for the Deep Creek Diversion Fish Screen Project, we have prepared the final environmental assessment for this project. No changes were made to the draft environmental assessment; therefore, the draft will become the final document. Due to the urgent need to reduce native salmonid entrainment and mortality associated with the inadequately screened irrigation diversion, I recommend that the proposed project be implemented as soon as possible.



March 26, 2013

James R. Satterfield Jr., Ph.D.
Montana Fish, Wildlife & Parks
Region One Supervisor

Date